

Amendments to the Drawings

Submitted herewith are new Figs. 1 and 3 to identify the well known planting mechanism associated with a grain drill which includes a plurality of no till planting units which were previously illustrated in the drawings as filed but not referred to in the specification. The amended drawings and corresponding amendments to the specification provide literal support for the amendments to the claims.

REMARKS

Claims 42 and 43 stand rejected under 35 U.S.C. 102 as being anticipated by U.S. Patent 4,411,325 (Hamilton). The Examiner reasons as follows:

"Hamilton discloses a device capable of being used to plant seeds including a frame 12, a seed container 10, a support including weight sensing devices 14 and a display 16 as shown in figures 1 and 2. Concerning claim 43, when maintenance is performed on the supports of Hamilton, the claimed method steps would inherently be performed."

These grounds of rejection are traversed for the following reasons.

The present invention is seed planter, a method for modifying a seed planter or a scale for use with a seed planter which substantively recite the combination of at least one weight sensing device which senses a weight of a seed container including any seed therein which is transferred through a support to a frame, a planting mechanism which plants the seeds contained in the container below the ground and a display coupled to the output of the at least one sensing device for displaying the weight of the seed contained in the seed container. This subject matter is neither anticipated nor rendered obvious by Hamilton.

Hamilton discloses a vehicle which the Examiner correctly finds to include a frame 12, a seed container 10, a support including weight sensing devices 14 and a display 16. However, Hamilton's vehicle, contrary to the Examiner's assertion, is neither capable of being used to plant seeds and moreover would not be considered by a person of ordinary skill in the art to be analogous art to the claimed subject matter which is limited to a seed planting including a planting mechanism which plants the seeds contained in the container below the ground. Accordingly, a person

of ordinary skill in the art would not consider the subject matter of claims 42 and 43 to be anticipated nor rendered obvious by Hamilton since Hamilton is neither directed to the same problem of accurately displaying the weight of seed being planted nor directed to a seed planter. The Examiner has not demonstrated on the record how a person of ordinary skill in the art would consider Hamilton to disclose "a device capable of being used to plant seeds...".

Claims 44 and 45 limit the planter in the method respectively of claims 42 and 43 to be at least one weight sensing device comprising load cells for being loading with weight of the container and any seed therein transferred from the seed container through the load cells to the frame. These claims are patentable for the reasoning set forth above with respect to claims 42 and 43.

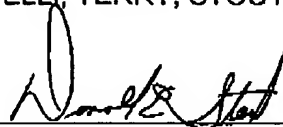
Newly submitted claims 46-49 are patentable for the same reasons set forth above with respect to claims 42 and 43.

In view of the foregoing amendments and remarks it is submitted that each of the claims in the application are in condition for allowance. Accordingly, early allowance there was respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (1312.35259CC2) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

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Attachments

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